



## **How to Ask the Court to Change/Enforce an Order in Your Case, or Request Another Related Action in Your Case**

### **(Family Multipurpose Post-Judgment Motions)**

### **Who Should Use This Packet?**

Use this packet if you have an order from the court that you want to have changed or enforced in your divorce or you need to file a motion related to another Family Court Matter under [R. 5:5-4](#). If your case begins with a “FD” docket number **do not use this packet**. You must follow the “FD” (Non dissolution) Application Process available at [njcourts.gov](http://njcourts.gov).

Some types of motions you can use this packet for are:

- A Motion to Increase or Decrease Child Support payments (FM cases only)
- A Motion to Increase or Decrease Alimony or Spousal Support payments. (FM Cases only)
- A Motion to Change the Custody arrangements of a minor child (FM cases only)
- A Motion to Change the Visitation/Parenting Time arrangements in your case (FM cases only)
- A Motion to Enforce Litigants’ Rights. (This includes enforcing custody, visitation, child support and alimony or spousal support payment orders) (FM cases only)
- A Motion for Emancipation of a Child (Termination of child support obligation) (FM cases only)
- A Motion for Reimbursement of Medical Expenses (FM cases only)
- A Motion for a Change of Venue (FM cases only)
- **A Motion for Reconsideration of a Family Court Order** (FM cases only)
- A Motion for Relocation of children (FM cases only)
- A Cross-Motion responding to one of the Motions listed above.
- Miscellaneous Family Court Motions governed by [Court Rule 5:5-4](#)

**Please read pages 2 and 3 for descriptions of the motions listed above.**

DO NOT complete this packet if your court order requires payment of child support, alimony or spousal support directly to you and your only request is that these payments be made through the Probation Division. In this case, you should contact your county Family Division directly.

### **What do you need to complete this packet?**

Read all instructions before starting to complete the forms. Read the definition of terms on page 7 to help you understand the words used in this packet. Gather copies of any signed orders, written agreements, Judgments of Divorce, Case Information Statements, and papers that relate to your case, before starting to fill out the packet. This information is needed to complete the attached forms.

Complaints, motions and other papers submitted to the court should be in English

## **Descriptions of Motions That You Can File With This Packet**

### **Motion to Increase or Decrease Child Support payments (FM only):**

If you are receiving child support payments, you can file this motion to ask the court to increase the amount of child support you are receiving. If you are paying child support, you can use this packet to file a motion to ask the court to decrease the amount of child support you have to pay.

### **Motion to Increase or Decrease Alimony payments (FM only):**

If you are receiving alimony, you can file this motion to ask the court to increase the amount of alimony payments you are receiving. If you are paying alimony, you can use this packet to file a motion to ask the court to decrease the amount of alimony you have to pay.

### **Motion to Change the Custody Arrangements of a minor child (FM only):**

If a judge in your case has issued a custody order which outlines the custody arrangements between you and the other party, and you wish to change that arrangement, you can use this packet to ask the court to change its custody order.

### **Motion to Change Visitation/Parenting Time arrangements (FM only):**

If a visitation and/or parenting time arrangement has been previously established in your case and you wish to change this arrangement, you can use this packet to ask the court to make a minor or major change to that arrangement.

### **Motion to Enforce Litigants' Rights (FM only):**

If you have obtained a court order in your case directing the other party to do something or not do something and the other party is not following the court's order, you can use this motion to ask the court to ensure that the other party does so.

### **Motion for Emancipation of a Child (FM only):**

If you have been paying child support for your child and you think that your child is no longer entitled to receive child support, you can use this packet to request the court to end your support obligation. This motion is usually filed when the child turns 18 or is no longer a full time student, whichever is the last to occur.

### **Motion for Reimbursement of Medical Expenses (FM only):**

If you have paid certain medical expenses for your child and you wish to seek reimbursement from the other party for these expenses, you can use this packet to ask the court to order the other party to reimburse you for these medical expenses.

### **Motion for a Change of Venue (FM only):**

If you want to request the court to change the county in which all future filings pertaining to your divorce will be heard, you must request a change of venue.

### **A Motion for Reconsideration of a Family Court Order (FM only):**

A motion for reconsideration is used to request the court to reconsider a decision it has rendered within 20 days of a signed court order issued to you. A motion for reconsideration is filed in court and reviewed by the same judge that made the decision you are requesting to be changed. You may also file an appeal in the Appellate Court within 45 days after the court has issued an order. That is a different process. Read the instructions about an appeal contained in this packet on page 6. Use the Appellate Division packet to appeal a decision in the Superior Court. This packet can be found at:

[njcourts.gov/forms/10837\\_appl\\_prose\\_kit.pdf](http://njcourts.gov/forms/10837_appl_prose_kit.pdf)

**A Motion for Relocation of children (FM cases only):**

When a custodial parent wants to move out of New Jersey, that parent must have either the written consent of the other parent or a court order permitting the relocation. If the non-custodial parent does not consent to the child's relocation, then the custodial parent seeking the relocation must file an application with the court seeking relocation as a relief.

**Cross-Motion responding to one of the Motions listed above (All Cases):**

A cross-motion is a motion filed by the party responding to the original motion. A motion may be filed in addition to the opposition to the original motion. The cross-motion asks the court to order something be done for the party responding to the original motion.

**Miscellaneous Motions Governed by Court Rule 5:5-4 (Other Family Motions)**

This packet may be used for motions not listed above but require court consideration and a Family Court Judge's decision.

**What deadlines do you need to meet?**

You must tell the other party in writing when you are requesting the motion be heard by the court. That notice must include the time and date of the scheduled motion hearing. Refer to the motion date on your Notice of Motion (Form A) to understand your deadlines.

You must get the papers to the other person in the case or to his/her lawyer at least 24 calendar days before the motion is scheduled to be heard by the court. **NOTE:** If you are sending your motion by mail, you must mail it at least 27 calendar days before the motion is scheduled to be heard by the court. This allows 3 calendar days for mailing and delivery.

These materials have been prepared by the New Jersey Administrative Office of the Courts for use by self-represented litigants. The guides, instructions, and forms will be periodically updated as necessary to reflect the current New Jersey statutes and court rules. The most recent version of the forms will be available at your county courthouse or on the Judiciary's Internet site [njcourts.gov](http://njcourts.gov). However, you ultimately are responsible for the content of your court papers.

**Send completed forms to the Family Court that issued the order you are trying to change or that last heard your case. You will find all Family Court addresses on [njcourts.gov](http://njcourts.gov).**

# Things to Think About Before You Try to Represent Yourself in Court

## Try to Get a Lawyer

The court system can be confusing and it is a good idea to get a lawyer if you can. If you cannot afford a lawyer, you may contact the legal services program in your county to see if you qualify for free legal services. Their telephone number can be found in your local yellow pages under “Legal Aid” or “Legal Services.”

If you do not qualify for free legal services and need help in locating an attorney, you can contact the bar association in your county. The telephone number can also be found in your local yellow pages. Most county bar associations have a Lawyer Referral Service. The county bar association Lawyer Referral Service can supply you with the names of attorneys in your area willing to handle your particular type of case and sometimes consult with you for a reduced fee.

There are a variety of organizations of minority lawyers throughout New Jersey, as well as organizations of lawyers who handle specialized types of cases. Ask the Family court staff in your county for a list of lawyer referral services that include these organizations.

## What You Should Expect If You Represent Yourself

While you have the right to represent yourself in court, you should not expect special treatment, help, or attention from the court. The following is a list of things court staff can and cannot do for you.

- We *can* explain and answer questions about how the court works.
- We *can* tell you what the requirements are to have your case considered by the court.
- We *can* give you some information from your case file.
- We *can* provide you with samples of court forms that are available.

- We *can* provide you with guidance on how to fill out forms.
- We *can* usually answer questions about court deadlines.
- We *cannot* give you legal advice. Only your lawyer can give you legal advice.
- We *cannot* give you an opinion about what will happen if you bring your case to court.
- We *cannot* recommend a lawyer, but we can provide you with the telephone number of a local lawyer referral service.
- We *cannot* talk to the judge for you about what will happen in your case.
- We *cannot* let you talk to the judge outside of court.
- We *cannot* change an order issued by a judge.

## Keep Copies of All Papers

Make and keep for yourself copies of any signed orders, written agreements, Judgments of Divorce, Case Information Statements, and other important papers that relate to your case.

## Delivering Papers to the Correct People

The instructions in this packet will tell you to mail or deliver copies of all letters, motions, certifications, orders or other papers to the lawyer representing the other person in the case. However, if the other person in the case does not have a lawyer and is representing himself or herself, then you must send those copies to that person.

If you mail your papers, we strongly recommend that you send them both simultaneously by both certified and regular mail, with return receipt requested, to the other party. This will provide you with a post office receipt and green card that can serve as proof of service. Your post office can tell you how to send things by certified mail, return receipt requested.

### **These Papers Are for Filing a Motion**

The word *motion* used in this packet means a written request in which you ask the court to change or enforce an order it has already made. The court will change an order only if important facts or circumstances have changed from the time the order was issued. This is different from an *appeal*. This packet can also be used to request other case related actions by the court. These requests must be specific to your individual case governed by Court Rule 5:5-4.

### **If You Want to File an Appeal, Not a Motion**

An appeal is a written request asking a higher court to look at the decision of the judge and change that judge's decision. You must make that written request for an appeal within 45 days after the judge decided the case and signed a judgment in the Superior Court.

If you want to file an appeal of a court order, **do not** use this packet of materials. Instead you should contact the Appellate Division in writing or by phone at:

Appellate Division, Superior Court  
Hughes Justice Complex  
P.O. Box 006,  
Trenton, NJ 08625-0006

Their telephone number is (609) 292-4822. The Appellate Division staff will provide you with information on how to file an appeal.

## Definitions of Some Words Used in This Packet

**Affidavit:** An *affidavit* is a notarized written statement made to the court when you file papers with the court swearing that the information contained in the filed papers is true.

**Appeal:** An *appeal* is a written request asking a higher court to look at the decision of the judge and change that judge's decision.

**Arrears:** The word *arrears* means unpaid or overdue child support, alimony or spousal support payments.

**Caption:** The *caption* is how the parties' names were written in the original papers filed for your divorce. If you were the plaintiff or defendant you are still the plaintiff or defendant for all subsequent filings

**Certification:** A *certification* is a written statement made to the court when you file papers with the court, swearing that the information contained in the filed papers is true.

**Defendant:** The *defendant* is the person against whom the court action was originally filed.

**Exhibits:** *Exhibits* are papers and information you provide to support what is in your motion.

**File:** To *file* means to give the appropriate forms to the court to begin the court's consideration of your request.

**Motion:** A *motion* is a written request in which you ask the court to issue an order, change an order it has already issued, enforce an order it has already issued, ***or ask the court to take some other action related to your case.***

**Order:** An *order* is a signed paper from the judge telling someone they must do something.

**Party:** A *party* is a person, business or governmental agency involved in a court action.

**Plaintiff:** The *plaintiff* is the person who filed the original court action.

**Pro Se:** The term *Pro Se* means that you are representing yourself in court without a lawyer.

**Relief:** To ask for *relief* is to ask the court for something.

**Substantial Change:** A *substantial change*, as used in this packet, means a significant change in your situation or circumstances affecting your case.

**Warrant:** A *warrant* is a notification to law enforcement that a person should be arrested when found.

## What You Need to Submit to the Court for Review and Decision

The numbered steps below tell you what forms you will need to fill out, and what to do with them.

Each form should be typed or clearly printed on 8 1/2" x 11" white paper only. Forms should not be filed on different size or color paper. Use only the forms included in this packet. **Be sure to keep a copy for your records.**

If you are filing a Motion to Increase / Decrease child support payments, you need to know that Child Support Guidelines are used in New Jersey to determine child support awards (*N.J. Court Rule 5:6A*). A copy of the New Jersey Court Rules is available in all county law libraries.

### Step 1: Fill out the *Notice of Motion* (Form A)

The Notice of Motion form tells the court and the other party the things you want the court to do. It also tells the other person in the case and the court the date the motion will be heard.

### Step 2: Get a court date for your motion.

You must locate a date you want your motion to be heard by the court. Go to [njcourts.gov](http://njcourts.gov). Look for "Calendar & Schedules"; look for miscellaneous; civil motion calendar; motion day schedule. Pick a Friday date that allows sufficient time to meet the required service and answer timeframes. Fill in that date on your Notice of Motion form.

**NOTE:** The date you are initially assigned may change depending on the judge's schedule. If that happens, the court will contact you and all parties listed in your papers.

### Step 3 : Fill out the Confidential Litigant Information Sheet (Form 10486)

The purpose of this form is to ensure accuracy of court records. You must complete this form any time you file a pleading (not just the first pleading) involving alimony, maintenance, child support, custody, parenting time visitation or paternity. Please complete the entire form, leaving no blank spaces. If something does not apply to you, enter "N/A".

### Step 4: Fill out the *Certification* (Form B)

On the Certification form, type or print the specific reasons you think the court should agree to the things you are asking for in your Notice of Motion. The reasons you give to the court must be based on the facts that you know are true. Type or print the details about the events that led up to your filing this motion.

You must include with the completed Certification form a copy of all previous orders. You should also attach copies of any other papers that will prove that the things you say in your Certification are true, such as pay stubs or federal or state tax returns. These other papers are also called exhibits.

### Step 5: Fill out the *Proposed Order* (Form C)

You should include in the Proposed Order all the things that you are asking the court for in your Notice of Motion. If the judge grants your motion after the hearing, the Proposed Order is the form the judge will sign. If the judge does not agree with everything you asked for, he or she may change your Proposed Order. The original and two copies of the Proposed Order must be attached to your Notice of Motion when you deliver it to the court, along with a stamped self-addressed envelope.

### Step 6: Fill out the *Certification of Filing and Service* (Form D)

This step tells the court:

- That you delivered or mailed by regular and certified mail, return receipt requested all the papers in your motion to the other party within the time required by the court rules for your motion; or
- That you delivered or mailed by regular and certified mail, return receipt requested, all the papers in your motion to the other party's current lawyer, (if you know who the lawyer is), within the time required by the court rules for your motion; and
- How you got the papers to the other party or to his or her current lawyer (if you know who the lawyer is). You must tell the court whether the papers were delivered in person or sent by regular and certified mail, return receipt requested.

### **Step 7: Fill out the *Notice to Litigants* (Form E)**

The Notice to Litigants form lets the other party know how to respond to your Notice of Motion. Your motion could be dismissed if your motion papers do not include the Notice to Litigants.

### **Step 8: (Only complete this step if your child support order is being administered through the Probation Division and you want to change that order.) Fill out the *Statement for the Probation Division* (Form F)**

You must fill out this form if you are filing a Motion to Increase or Decrease Child Support payments that are paid to or received through the Probation Division. The form helps Probation know what the court has ordered so that it can keep track of child support payments in the case. If you are **not** paying or receiving child support through the Probation Division, but are filing a Motion to Increase or Decrease Child Support payments, **do not** complete this form, instead go directly to Step 9.

### **Step 9: Fill out the *Case Information Statement* (CIS)**

*If you are filing an FM/matrimonial motion and asking for any type of monetary relief such as an increase or decrease in support, you must complete and file a copy of the last CIS submitted to the court and complete a new and current CIS.* This means you will be attaching two CIS forms to your current motion. The two CISs tell the court your past financial status as well as your current status, and both must be attached to your Notice of Motion.

The [Case Information Statement](http://njcourts.gov) form can be obtained at njcourts.gov. Download a copy of the Case Information Statement from the Judiciary website and submit it with this packet if you are requesting any change in the financial status of your case. Don't forget to attach proof of your income (i.e., pay stubs, tax returns, etc.)

You need to make an extra blank copy of the CIS before filling it out, so you can include it in the packet of papers you mail or deliver to the other party. The other party must also complete a CIS and mail or deliver one completed copy back to you and one completed copy to the court.

If you have completed a CIS before in this case, attach a copy of it to the CIS you just completed,

and include it with your papers you are filing with the court.

### **Step 10: Fill out the *Letter to the Clerk* (Form G)**

Complete the form letter addressed to the Clerk of the Superior Court, Attn: Family Division Manager (or the name of the county). You must include with this letter a \$50 check or money order (FM cases only) payable to the *Treasurer, State of New Jersey*, and a stamped return envelope addressed to yourself. **Do not** send cash. All other case types (FD, FV, etc.) do **not** require a filing fee. You must include a stamped, return envelope addressed to yourself. This letter must be the first page of the packet of papers that you file with the court.

### **Step 11: Check your completed forms.**

Check your forms and make sure they are complete. **Remove all instruction sheets before submitting to the court.** Make sure you have signed the forms wherever necessary.

### **Step 12: Mail or deliver your package of completed papers to the court and the other party in the case.**

Keep one copy of the entire packet for your own records. Follow the guidelines below on how to mail or deliver your completed forms. You must prove to the court that the other non-filing party has been served with your papers.

### **Checklist**

Make sure you have all of the following items and that they are in this order:

- Letter to the Clerk of the Superior Court.
- \$50 check or money order (FM cases only). Make the check or money order payable to, *Treasurer, State of New Jersey*.  
**Do not** send cash. If you pay in person, keep the receipt for your records.
- Stamped return envelope addressed to yourself for the court order that will be mailed to you (if you did not select oral argument)
- Notice of Motion.
- Certification.
- Any papers to support your motion (called exhibits), including all prior orders.
- Proposed Order.



- Certification of Filing and Service.
- Notice to Litigants.
- Statement to the Probation Division, if required (See Step 8).
- Previous Case Information Statement (CIS) and a current CIS, if applicable.

### **Final Steps**

- Make 3 copies of the entire packet of the completed forms, and 2 extra copies of the proposed order.
- Mail or deliver the following items to the court:
  - The original and one copy of all the forms; **and**
  - Two extra copies of the proposed order.
- Mail or deliver one copy of the entire packet of completed forms to the other party or his/her current lawyer, if known.

**REMINDER: Keep one copy of the entire packet for your own records.**

You can deliver the forms to court in person or you can mail them. If you are mailing the papers, use regular and certified mail with return receipt requested. This will provide you with a post office receipt and green card. Return of a signed green card is proof of service to the other party. Your post office can tell you how to send certified mail with return receipt requested.

**Attention:** If any person named in the Notice of Motion is receiving public assistance and this motion involves child support, you must also send a copy of the packet to the Social Services agency in the county that is providing assistance to that person and/or child(ren). If this applies to you, then you must make an extra copy of the entire packet of completed forms, and an extra copy of the Proposed Order.

- Mail or deliver one copy of the entire packet to the Social Services agency providing public assistance.
- Mail or deliver one copy of the Probation Statement to the county Probation Division if you are filing a Motion to Increase or Decrease Child Support and/or Alimony or Spousal Support payments and those payments are monitored through the county Probation Division.

### **Deadlines**

- You must get the motion papers to the other person in the case or to his or her lawyer **at least 24 calendar days before** the motion is scheduled to be heard by the court.
- If you are sending your motion by mail, you must mail it **no later than 27 calendar days before** the motion is scheduled to be heard by the court. This allows three days for mailing and delivery.

## Instructions for *Notice of Motion* (Form A)

- A. On the first five lines, type or print your name, current address, phone numbers and email address. Enter your name and check whether you are the plaintiff or the defendant. You remain the same party as you were in the original complaint filed with the court. If you were the defendant in the original complaint, you are still the defendant in this motion. If you were the plaintiff in the original complaint, you are still the plaintiff in this motion.
- B. Enter the name of the county where you are filing this motion. This should be the county where the original case was heard. Enter the case docket number as it appears on your original court order.
- C. Provide the name and address of the other party's lawyer, if they have one. If they don't have one, write the name and address of the other party.
- D. If you pay or receive child support through the Probation Division, fill in the name and address of the county Probation Division. **Do not** complete this if you do not pay or receive child support payments through the Probation Division.
- E. Check off the motion or motions you want the court to consider in the case.
- F. In each paragraph (1-4) write a short and clear statement explaining what you are asking the court to do. Use as many paragraphs as you need. Some examples of what you might put in this section are:
- The child support payments should be increased or decreased from \$\_\_\_\_\_ a week to \$\_\_\_\_\_ a week;
  - The custody status of my child should be changed because it is in the best interest of my child;
  - The parenting visitation time should be increased from \_\_\_\_\_ hours per week to \_\_\_\_\_ hours per week;
  - The alimony or spousal support payments should be increased or decreased from \$\_\_\_\_\_ a week to \$\_\_\_\_\_ a week;
  - An order was previously entered by the court and is not being complied with by [name of other party] and the court should issue an order to Enforce Litigants' Rights to have the other party comply with the court's order. [List the type of order that has been violated.]
  - [Name of the other party] should repay to me \$\_\_\_\_\_ as reimbursement for medical expenses.
- G. If you pay or receive child support payments through the Probation Division or if you otherwise have a child support account number, fill in the name of the Probation Division as well as your child support (CS) number in paragraph 5. The child support account number begins with the letters CS. If you **do not** pay or receive child support through the Probation Division, you may not have a child support number. If this is the case, leave this section blank.
- H. In paragraph 7 tell the court whether you want an oral argument to be scheduled. An *oral argument* is when you and the other party go in front of the judge at the same time and both you and the other party tell the judge about your case. Fill in your name and check whether you are the *plaintiff* or the *defendant*. Check whether you *want* or *do not want* oral argument. If oral argument is not requested, the motion will be decided by the judge based on the papers you and the other party submit.

**NOTICE:** This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, or active credit card number.

## Form A - Notice of Motion

### Filing Attorney Information or Pro Se Litigant:

Name \_\_\_\_\_

NJ Attorney ID Number \_\_\_\_\_

Address \_\_\_\_\_

Daytime Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

Fax Number \_\_\_\_\_

Email Address \_\_\_\_\_

Your Name \_\_\_\_\_ (check one) ☐ Plaintiff ☐ Defendant

\_\_\_\_\_  
Plaintiff, (Name as it appears in original caption)

v.

Superior Court of New Jersey  
Chancery Division-Family Part

County \_\_\_\_\_

Docket Number \_\_\_\_\_

\_\_\_\_\_  
Defendant (Name as it appears in original caption)

### Civil Action Notice of Motion (See Below)

TO: (Other party's lawyer, if any)

(Other party)

(County Probation Division)

PLEASE TAKE NOTICE that on Friday, \_\_\_\_\_, at 9:00 a.m., or as soon after that as the matter may be heard, \_\_\_\_\_, the (check one)  
☐ plaintiff ☐ defendant will apply to whichever judge is hearing matters in the Superior Court, Chancery Division - Family Part, \_\_\_\_\_ County, at the \_\_\_\_\_ County Courthouse  
\_\_\_\_\_, New Jersey for an order to:

(city where courthouse is located)

☐ Increase / Decrease Child Support payments

☐ Enforce Litigants' Rights

☐ Increase / Decrease Alimony payments

☐ Emancipate a Child

☐ Change Custody arrangements

(terminate child support)

☐ Change Visitation arrangements

☐ Reimburse Medical Expenses

☐ Motion for Reconsideration

☐ Change of Venue

☐ Other(Specify): \_\_\_\_\_

(Type or print what you are asking the court to do. Attach additional sheets of 8 1/2" x 11" white paper, if necessary.)

1.

2.

3.

4.

5. Require the \_\_\_\_\_ Probation Division to adjust its records in accordance with this order for Child Support account CS \_\_\_\_\_, and reissue any orders of income withholding if necessary;
6. Or such other relief as the Court may deem equitable and just.
7. I (check one) ☐ do ☐ do not want oral argument.

\_\_\_\_\_  
(Signature)

(check one) ☐ Plaintiff

☐ Defendant

Date: \_\_\_\_\_

If you requested an oral argument do you wish to request:

An interpreter ☐ Yes ☐ No Language: \_\_\_\_\_

A disability accommodation: ☐ Yes ☐ No Accommodation: \_\_\_\_\_

## Instructions for *Certification* (Form B)

- A. On the first five lines, type or print your name, current address, phone numbers and email address. Enter your name and check whether you are the plaintiff or the defendant. You remain the same party as you were in the original complaint filed with the court. If you were the defendant in the original complaint, you are still the defendant in this motion. If you were the plaintiff in the original complaint, you are still the plaintiff in this motion.
- B. Enter the name of the county where you are filing this motion. This should be the county where the original case was heard. Enter the case docket number as it appears on your original court order.
- C. Check off the motion or motions you want the court to consider in the case.
- D. In paragraph 2, state the specific facts explaining why you are filing this motion. You need to explain in detail the following reasons for your request:
- **For a Motion to Increase or Decrease Child Support, Alimony payments:** Why the court should modify your existing child support or alimony order.
  - **For a Motion to Change the Custody arrangements of a minor child:** Why the court should change your existing custody order.
  - **For a Motion to Change the Visitation/Parenting Time arrangements:** Why the court should change your existing parenting time or visitation order.
  - **For a Motion to Enforce Litigants' Rights:** Explain that an order was previously issued by the court in this case and describe how and when the other party has not complied with the court's order.
  - **For a Motion for Emancipation of a Child:** Why the court should find that your child is an adult and end your child support payments.
  - **For a Motion for Reimbursement of Medical Expenses:** Why the court should order the other party to reimburse you for certain medical expenses. Describe the expenses in detail and document payments by health insurance.
  - **For a Motion to Change Venue:** Why your case should be transferred to another county and identify the county.
  - **For a Motion for Reconsideration:** What you want the judge to reconsider and why the judge should reconsider their decision.
  - **For a Motion for Relocation of Children:** Why the court should grant your request to relocate the child(ren).
  - **Miscellaneous Motions Governed by Court Rule 5:4-4.** Why the court should take some other action in your case not related to the above examples. Be as specific as possible in your request to the court.

### **For a Cross-Motion responding to one of the motions listed previously:**

Why the court should order something to be done for the party responding to the original motion. Include all important information and any relevant dates. Write only one fact for each lettered paragraph. You may add as many lettered paragraphs as you need to state all the facts that support your requests. Attach additional 8 1/2" x 11" sheets of white paper, if necessary. Be sure to state specific facts that explain in detail why the court should grant your motion. If the existing order has not been followed, state specific examples of how the existing order has not been followed. Remember to attach the original order and any other previous court orders or other documents (exhibits) that support your requests and the statements in your Certification. These documents should be mentioned in your Certification. Make sure to mark them "1...2....3, etc." in the upper right hand corner, and attach them to the Certification.

## Form B – Certification in Support of a Motion

### Filing Attorney Information or Pro Se Litigant:

Name \_\_\_\_\_

NJ Attorney ID Number \_\_\_\_\_

Address \_\_\_\_\_

Daytime Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

Fax Number \_\_\_\_\_

Email Address \_\_\_\_\_

Your Name \_\_\_\_\_ (check one) ☐ Plaintiff ☐ Defendant

\_\_\_\_\_  
Plaintiff, (Name as it appears in original caption)

v.

Superior Court of New Jersey  
Chancery Division-Family Part  
County \_\_\_\_\_  
Docket Number \_\_\_\_\_

\_\_\_\_\_  
Defendant (Name as it appears in original caption)

### Civil Action Certification in Support of a Motion

I, \_\_\_\_\_, of full age, hereby certify:

1. I am the (check one) ☐ plaintiff ☐ defendant in this matter and I am filing this Certification in support of my Notice of Motion to:

- ☐ Increase / Decrease Child Support payments  
☐ Increase / Decrease Alimony payments  
☐ Change Custody arrangements  
☐ Change Visitation arrangements  
☐ Motion for Reconsideration  
☐ Other (Specify): \_\_\_\_\_

- ☐ Enforce Litigants' Rights  
☐ Emancipate a Child  
(terminate child support)  
☐ Reimburse Medical Expenses  
☐ Change of Venue

2. Explanation of facts: (Attach additional sheets of 8 2" x 11" white paper, if necessary.)  
a.

b.

I certify that the statements made above are true. I am aware that if any of the statements made by me are willfully false, I am subject to punishment by the Court.

\_\_\_\_\_  
(Signature)

(check one) ☐ Plaintiff ☐ Defendant

Date: \_\_\_\_\_

**Remember to attach all copies of exhibits, orders, case information statements, etc., to this form.**

## Instructions for Preparing a *Proposed Order* (Form C)

- A.** On the first five lines, type or print your name, current address, phone numbers and email address. Enter your name and check whether you are the plaintiff or the defendant. You remain the same party as you were in the original complaint filed with the court. If you were the defendant in the original complaint, you are still the defendant in this motion. If you were the plaintiff in the original complaint, you are still the plaintiff in this motion.
- B.** Enter the name of the county where you are filing this motion. This should be the county where the original case was heard. Enter the case docket number as it appears on your original court order.
- C.** Fill in the date your motion will be heard. This is the same date that is on your *Notice of Motion* form (Form A). (See Step 2 of the guide on page 8). Complete the rest of the information in the paragraph.
- D.** Check off the type of motion or motions you want the court to consider in the case.
- E.** In paragraph 1, state what you want the judge to order the other person to do. Write one relief for each letter paragraph. Include all of the things you asked for in your Notice of Motion. Some examples are:
- The child support payments in this case are increased or decreased from \$\_\_\_\_\_ a week to \$\_\_\_\_\_ a week;
  - The custody status of the minor child is changed because it is in the best interest of the child;
  - The parenting time/ visitation time is increased from \_\_\_\_\_ hours per week to \_\_\_\_\_ hours per week;
  - The alimony payments are to be increased or decreased from \$\_\_\_\_\_ a week to \$\_\_\_\_\_ a week;
  - The child should be emancipated and all support obligations are hereby terminated effective \_\_\_\_\_ (date).

**NOTE:** For a Motion to Enforce Litigants' Rights, leave the relief section blank for the judge to complete.

- F.** Complete paragraph 2 only if you are filing a motion to increase or decrease child support: If your child support payments are administered through the Probation Division or if you otherwise have a child support account number, type or print that number in paragraph 2. The child support account number begins with the letters "CS." If your child support payments are not administered by the Probation Division, you may not have a child support account number. If this is the case, leave this section blank.

## Form C – Proposed Order

### Filing Attorney Information or Pro Se Litigant:

Name \_\_\_\_\_

NJ Attorney ID Number \_\_\_\_\_

Address \_\_\_\_\_

Daytime Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

Fax Number \_\_\_\_\_

Email Address \_\_\_\_\_

Your Name \_\_\_\_\_ (check one) ☐ Plaintiff ☐ Defendant

\_\_\_\_\_  
Plaintiff, (Name as it appears in original caption)

v.

Superior Court of New Jersey  
Chancery Division-Family Part  
County \_\_\_\_\_  
Docket Number \_\_\_\_\_

\_\_\_\_\_  
Defendant (Name as it appears in original caption)

### Civil Action Order (See Below)

THIS MATTER being opened to the court on Friday, \_\_\_\_\_, on a Notice of Motion to:

☐ Increase / Decrease Child Support payments

☐ Enforce Litigants' Rights

☐ Increase / Decrease Alimony payments

☐ Emancipate a Child  
(terminate child support)

☐ Change Custody arrangements

☐ Change Visitation arrangements

☐ Reimburse Medical Expenses

☐ Motion for Reconsideration

☐ Change of Venue

☐ Other(Specify): \_\_\_\_\_

filed by ☐ plaintiff ☐ defendant and \_\_\_\_\_  
(check one) (leave blank, Judge will enter name of other party or their lawyer)

appearing on behalf of the ☐ plaintiff ☐ defendant; and the court having read and  
(check one)

considered the certifications and other papers filed herein and having heard the arguments and considered the arguments of the parties and for good cause shown; It is

now this \_\_\_\_\_ ORDERED THAT:  
(date)

1. The ☐ plaintiff ☐ defendant is hereby ☐ granted ☐ denied the following  
(check one) (check one)

relief(s): (See step 4)

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

d. \_\_\_\_\_

(Attach additional sheets of 8 1/2" x 11" white paper, if necessary.)



Additional Relief. (Leave these lines blank for the Judge).

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2. The \_\_\_\_\_ Probation Division responsible for this matter shall make any adjustments to the account (See Instruction for Form D) CS \_\_\_\_\_  
(Child Support number)  
required by this order and reissue, if necessary, any income withholding orders.

\_\_\_\_\_, J.S.C.

### **Instructions for *Certification of Filing and Service* (Form D)**

Include the Certification of Filing and Service (Form D) when you file your motion with the court. You must send copies of your motion to the other party or the other party's lawyer in order to have your motion heard by a judge. (See Step 5 on page 8 of this packet.)

## Form D - Certification of Filing and Service

I hereby certify that the original of the attached Notice of Motion, the original of the attached supporting Certification, and the original and two copies of the Proposed Order are being filed with the Clerk of the Superior Court at the \_\_\_\_\_ Family Division Manager's Office.

In addition, I certify that I served a copy of this motion (check one)

☐ personally on the person(s) or attorney(s) listed below.

☐ by mailing it on this date to the person(s) or attorney(s) listed below by regular and certified mail.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Certified Mail Number)

\_\_\_\_\_  
(Certified Mail Number)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State & Zip Code)

\_\_\_\_\_  
(City, State & Zip Code)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Certified Mail Number)

\_\_\_\_\_  
(Certified Mail Number)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City, State & Zip Code)

\_\_\_\_\_  
(City, State & Zip Code)

\_\_\_\_\_  
(Signature)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Type or print your name)

(check one) ☐ Plaintiff ☐ Defendant

## **Instructions for *Notice to Litigants* (Form E)**

**IMPORTANT:** You must include the *Notice to Litigants* form in your motion packet. (*Rule 5:5-4 (d) - Motions in Family Actions*). This form gives the other party or the other party's lawyer important instructions. Read the form carefully. Type or print in the spaces provided, the name, address, city/town, state, and zip code of the county courthouse of the county in which you are filing your motion. This is the same information that is on the first page of the *Notice of Motion* (Form A).

## Form E - Notice to Litigants

### If You Want to Respond to This Motion You Must Do So in Writing

This written response shall be by affidavit or certification. (Affidavits and certifications are documents filed with the court. In either document the person signing it swears to its truth and acknowledges that they are aware that they can be punished for not filing a true statement with the court. Affidavits are notarized and certifications are not.) If you would also like to submit your own separate requests in a motion to the judge you can do so by filing a cross-motion. Your response and/or cross-motion may ask for oral argument. That means you can ask to appear before the court to explain your position. However, you must submit a written response even if you request oral argument. Any papers you send to the court must be sent to the opposing side, either to the attorney if the opposing party is represented by one, or to the other party if they represent themselves. Two copies of all motions, cross-motions, certifications, and briefs shall be sent to the opposing side.

The response and/or cross-motion must be submitted to the court by a certain date. All motions must be filed on the Tuesday 24 days before the return date. A response and/or cross motion must be filed fifteen days (Thursday) before the return date. Answers or responses to any opposing affidavits and cross-motions shall be served and filed not later than eight days (Thursday) before the return date. No other response is permitted without permission of the court. If you mail in your papers you must add three days to the above time periods.

Response to motion papers sent to the court are to be sent to the following address: [Fill in the address of the Family Division in the county where this motion was filed. A [directory of Family Division offices](#) can be found at [njcourts.gov](http://njcourts.gov)]

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Call the Family Division Manager's office (fill in phone number: \_\_\_\_\_) if you have any questions on how to file a motion, cross-motion or any response papers. Please note that the Family Division Manager's office cannot give you legal advice.

## Instructions for *Statement for the Probation Division* (Form F)

**NOTE: Only complete this form if your child support or alimony payments are administered through the Probation Division. If your child support or alimony payments are not administered through the Probation Division, do not complete this form.**

- A.** Type or print the plaintiff and defendant's names from your *Notice of Motion (Form A)*. Provide the plaintiff and defendant's current employer and address.
- B.** Enter your child support account number. This account number begins with the letters "CS" and should be on your original order.
  - Enter the name of each child for which child support has been ordered and his or her address. Attach additional sheets of 8 1/2" x 11" white paper, if necessary.
- C.** Enter the mother's name, father's name, and the name of each child. For each person listed, write his or her date of birth where it says DOB, and his or her social security number. Attach additional sheets of 8 1/2" x 11" white paper, if necessary.
- D.** Provide additional information about licenses that any party may have, or any insurance information, if known.

**NOTICE:** [notice #2]

**Form F – Statement for the \_\_\_\_\_ County Probation Division**

The following information is submitted in compliance with *Rule 5:7-4*.

Plaintiff's name as it appears in the original caption, address and phone number.

Plaintiff's employer's name, address and phone number:

Defendant's name as it appears in the original caption, address and phone number:

Defendant's employer's name, address and telephone number:

Child Support Account Number: CS \_\_\_\_\_

Children's names and address(es):

Child: \_\_\_\_\_

Child: \_\_\_\_\_

Child: \_\_\_\_\_

Child: \_\_\_\_\_

(Attach additional sheets of 8 2" x 11" white paper, if necessary.)

Type or print the name, date of birth, and Social Security Number of: (See instruction C)

Mother: \_\_\_\_\_ DOB: \_\_\_\_\_ Social Security #: \_\_\_\_\_

Father: \_\_\_\_\_ DOB: \_\_\_\_\_ Social Security #: \_\_\_\_\_

Child: \_\_\_\_\_ DOB: \_\_\_\_\_ Social Security #: \_\_\_\_\_

Child: \_\_\_\_\_ DOB: \_\_\_\_\_ Social Security #: \_\_\_\_\_

Child: \_\_\_\_\_ DOB: \_\_\_\_\_ Social Security #: \_\_\_\_\_

Child: \_\_\_\_\_ DOB: \_\_\_\_\_ Social Security #: \_\_\_\_\_

Child: \_\_\_\_\_ DOB: \_\_\_\_\_ Social Security #: \_\_\_\_\_

(Attach additional sheets of 8 2" x 11" white paper, if necessary.)

Type or print the driver's license information (state and number) of the parent paying child support:

Type or print any professional license held by the parent paying child support, if known. For example: doctor, lawyer, electrician, plumber, hairdresser:

Type or print health insurance provider's name, address and policy number of the parent paying child support:

### **Instructions for *Letter to the Clerk* (Form G)**

- A.** On the first six lines, type or print your name, current address, phone numbers, email address and date.
- B.** Enter the name of the county, the street address, the city, state and zip code.
- C.** Enter the name of the Plaintiff and Defendant and docket number of your case as it appeared on the original complaint.
- D.** Provide the name of the person who received your motion papers. If it was the other party, write the party's name. If it was the other party's lawyer, write his/her name. Sign your complete name on the signature line.
- E.** Enter the name of the other party's lawyer if he/she received a copy of your motion papers, or write the name of the other party if the party received your motion papers. Write the name of the county Probation Division if you receive or make child support payments through Probation.
- F. Put this letter on top of your motion papers and then mail them to the clerk of the superior court at your county courthouse.**



## Form G – Letter to the Clerk of the Superior Court

### Filing Attorney Information or Pro Se Litigant:

Name \_\_\_\_\_

NJ Attorney ID Number \_\_\_\_\_

Address \_\_\_\_\_

Daytime Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

Fax Number \_\_\_\_\_

Email Address \_\_\_\_\_

Your Name \_\_\_\_\_ (check one) ☐ Plaintiff ☐ Defendant

\_\_\_\_\_  
(county) Superior Court Clerk, Family Part.

\_\_\_\_\_  
(street address)

\_\_\_\_\_  
(city, state, zip code)

RE: \_\_\_\_\_  
(Name of case, Plaintiff v. Defendant)

Docket Number: \_\_\_\_\_ - \_\_\_\_\_  
(Type or print docket number)

Dear Sir or Madam:

Enclosed is an original and one copy of a Notice of Motion and Certification as well as an original and two copies of the Proposed Order submitted by me in the above matter.

Copies of these documents have been forwarded to \_\_\_\_\_.  
(name of other party or other party's lawyer)

Please mark the copy of the Notice of Motion and Certification “filed” and return them in the enclosed envelope. If you are filing an FM/matrimonial motion, you must include a \$50 check or money order payable to *Treasurer, State of New Jersey* for filing this motion. All other case types do not require a filing fee. Thank you for your cooperation in this matter.

Very truly yours,

\_\_\_\_\_  
(Signature)

Enclosures

Copies to:

\_\_\_\_\_  
(Name of other party's lawyer, if applicable)

\_\_\_\_\_  
(Name of other party)

\_\_\_\_\_  
(Name of County Probation Division collecting support, if applicable)